

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CHARLES W. CARSON,**

**CIVIL ACTION NO.**

**17-cv-2840**

**Plaintiff**

**v.**

**WILLOW VALLEY COMMUNITIES,  
WILLOW VALLEY LIVING,**

**Defendants**

**FILED  
MAR 12 2018**

KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

**NOTICE OF APPEAL**

Notice is hereby given that Charles W. Carson, Plaintiff in the above named case hereby appeals to the United States Court of Appeals for the Third Circuit from an Order, entered in this action on the 12th day of February 2018, by Honorable Judge Joseph F. Leeson granting the Defendants for motion to dismiss, denying the Plaintiffs complaint to proceed. The Order from which this Appeal is taken has been docketed as evidenced by the attached copy of the docket entries.

Respectfully submitted by:



Charles W. Carson, Plaintiff and Appellant

Date: March 9, 2018

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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CHARLES W. CARSON,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:17-cv-2840
	:	
WILLOW VALLEY COMMUNITIES and	:	
WILLOW VALLEY LIVING,	:	
Defendants.	:	

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**ORDER**

AND NOW, this 7<sup>th</sup> day of February, 2018, for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' Motion to Dismiss, ECF No. 5, is **GRANTED** as follows:
  - a. Counts I through IV of Plaintiff's Complaint are **DISMISSED WITH PREJUDICE**; and
  - b. Count V of Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff's Motion to Amend Complaint, ECF No. 9, is **DENIED**.
3. Plaintiff's Motion for More Definite Statement, ECF No. 11, is **DENIED**.
4. This case is **CLOSED**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR.  
United States District Judge

**United States District Court  
Eastern District of Pennsylvania (Allentown)  
CIVIL DOCKET FOR CASE #: 5:17-cv-02840-JFL**

CARSON v. WILLOW VALLEY COMMUNITIES et al  
Assigned to: HONORABLE JOSEPH F. LEESON, JR  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 06/22/2017  
Date Terminated: 02/12/2018  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights:  
Employment  
Jurisdiction: Federal Question

**Plaintiff**

**CHARLES W. CARSON**

represented by **CHARLES W. CARSON**  
2522 NOLT ROAD  
LANCASTER, PA 17601  
PRO SE

V.

**Defendant**

**WILLOW VALLEY COMMUNITIES**

represented by **JOSHUA L. SCHWARTZ**  
BARLEY SNYDER LLP  
126 EAST KING ST  
LANCASTER, PA 17601  
717-399-1535  
Email: jschwarz@barley.com  
**ATTORNEY TO BE NOTICED**

**Defendant**

**WILLOW VALLEY LIVING**

represented by **JOSHUA L. SCHWARTZ**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/22/2017	<u>1</u>	COMPLAINT against WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING ( Filing fee \$ 400 receipt number 161597.), filed by CHARLES W. CARSON. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheets)(tj, ) (Entered: 06/26/2017)
06/22/2017		Summons 2 Issued as to WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING. Forwarded To: Pro Se on 6/26/17 (tj, ) (Entered: 06/26/2017)
06/22/2017		DEMAND for Trial by Jury by CHARLES W. CARSON. (tj, ) (Entered: 06/26/2017)
06/22/2017	<u>2</u>	REQUEST FOR APPOINTMENT OF ATTORNEY by CHARLES W. CARSON. (tj, ) (Entered: 06/26/2017)
07/10/2017	<u>3</u>	Letter from PENNSYLVANIA HUMAN RELATIONS COMMISSION to CHARLES W. CARSON re: the filing of the complaint with the PENNSYLVANIA HUMAN

United States District Court Eastern District of Pennsylvania  
 RELATIONS COMMISSION. (Attachments: # 1 Supplement Envelope)(ky, ) (Entered: 07/11/2017)

07/28/2017	<u>4</u>	SUMMONS Returned Executed re: Gary Spangenburg served Summons and Complaint upon WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING and WILLOW VALLEY COMMUNITIES by personal service on 7/12/2017, answer due 8/2/2017. (mbh, ) (Entered: 07/31/2017)
08/02/2017	<u>5</u>	MOTION to Dismiss filed by WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING.Brief, Certificate of Service. (Attachments: # <u>1</u> Brief Brief in Support of Defendant's Motion to Dismiss, # <u>2</u> Text of Proposed Order Proposed Order) (SCHWARTZ, JOSHUA) (Entered: 08/02/2017)
08/14/2017	<u>6</u>	Plaintiff's Response to Defendants' Motion <u>5</u> to Dismiss, Certificate of Service. (fdc) (Entered: 08/15/2017)
09/08/2017	<u>7</u>	ORDER THAT THIS CASE IS REASSIGNED FROM HONORABLE JOSEPH F. LEESON, JR TO HONORABLE J. WILLIAM DITTER, JR FOR ALL FURTHER PROCEEDINGS. SIGNED BY CLERK OF COURT KATE BARKMAN, CLERK OF COURT ON 9/8/17. 9/8/17 ENTERED & E-MAILED. COPY MAILED TO PRO SE PLAINTIFF. (fdc) (VACATED PURSUANT TO ORDER #8) Modified 9/26/17 (fdc). (Entered: 09/08/2017)
09/22/2017	<u>8</u>	ORDER THAT THE ORDER DATED 9/8/17, REASSIGNING THE ABOVE-CAPTIONED CASE FROM THE CALENDAR OF THE HON. JOSEPH F. LEESON, JR., TO THE CALENDAR OF THE HON. WILLIAM J. DITTER, JR., IS VACATED, AND IT IS FURTHER ORDERED THAT THE ABOVE-CAPTIONED CASE IS RESTORED TO THE CALENDAR OF THE HON. JOSEPH F. LEESON, JR. SIGNED BY CLERK OF COURT KATE BARKMAN, CLERK OF COURT ON 9/22/17. 9/22/17 ENTERED & E-MAILED. COPY MAILED TO CARSON. (fdc) (Entered: 09/22/2017)
12/18/2017	<u>9</u>	MOTION TO AMEND COMPLAINT, CERTIFICATE OF SERVICE; JURY DEMAND, FILED BY PRO SE PLFF CHARLES W. CARSON. (AMENDED COMPLAINT ATTACHED).(kw, ) (Entered: 12/19/2017)
12/28/2017	<u>10</u>	Memorandum in Opposition re <u>9</u> MOTION to Amend/Correct <i>Complaint</i> filed by WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING. (Attachments: # <u>1</u> Text of Proposed Order)(SCHWARTZ, JOSHUA) (Entered: 12/28/2017)
01/18/2018	<u>11</u>	MOTION FOR A MORE DEFINITE STATEMENT FILED BY CHARLES W. CARSON, CERTIFICATE OF SERVICE.(fdc) (Entered: 01/18/2018)
02/01/2018	<u>12</u>	RESPONSE in Opposition re <u>11</u> MOTION for More Definite Statement filed by WILLOW VALLEY COMMUNITIES, WILLOW VALLEY LIVING. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Text of Proposed Order)(SCHWARTZ, JOSHUA) (Entered: 02/01/2018)
02/12/2018	<u>13</u>	MEMORANDUM/OPINION THAT DEFENDANTS' MOTION TO DISMISS, ECF NO. 5, IS GRANTED; PLAINTIFF'S MOTION TO AMEND COMPLAINT, ECF NO. 9, IS DENIED; PLAINTIFF'S MOTION FOR MORE DEFINITE STATEMENT, ECF NO. 11, IS DENIED. AN APPROPRIATE ORDER FOLLOWS. SIGNED BY HONORABLE JOSEPH F. LEESON, JR ON 2/7/18. 2/12/18 ENTERED AND COPIES E-MAILED AND MAILED TO PRO SE'. (ky, ) (Entered: 02/12/2018)
02/12/2018	<u>14</u>	OPINION/ORDER THAT DEFENDANTS' MOTION TO DISMISS, ECF NO. 5 IS GRANTED; PLAINTIFF'S MOTION TO AMEND COMPLAINT, ECF NO. 9, IS DENIED; PLAINTIFF'S MOTION FOR MORE DEFINITE STATEMENT, ECF NO. 11 IS DENIED; AND THIS CASE IS CLOSED.SIGNED BY HONORABLE JOSEPH F.